

*United States Bankruptcy Court
Eastern District of Wisconsin*

*CHAMBERS OF
MARGARET DEE McGARITY
Chief U.S. Bankruptcy Judge*

*160 U.S. Courthouse
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4581
(414) 297-3291 - Ext 3203*

June 13, 2006

Honorable Rudolph T. Randa
Chief Judge, United States District Court
Eastern District of Wisconsin
United States Courthouse, Room 310
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Re: Local Bankruptcy Court Rules

Dear Chief Judge Randa:

I am pleased to transmit to you with this letter proposed new Local Bankruptcy Court Rules, together with a copy of our current Local Rules and related materials, all of which are also on the enclosed compact diskette.

Pursuant to Federal Rule of Bankruptcy Procedure 9029, a copy of which is enclosed, we are respectfully requesting the district judges to make these proposed Local Rules the Local Rules to be used in all bankruptcy cases and proceedings within our district.

These proposed Local Rules are the final product of carefully selected, highly qualified people who reviewed our present court rules and procedures. They are all listed at the foot of this letter. They took their work seriously and did an excellent job coming up with the proposed rules. Professor Ralph C. Anzivino was the Reporter, and his notes are also enclosed.

All of the bankruptcy judges support their efforts and are recommending the adoption of the Local Rules proposed by the Committee without modification.

If the district judges approve the proposed Local Rules, we request authority to adopt the Local Rules on an interim basis until ultimate final approval is granted.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Margaret McGarity', with a large, sweeping flourish extending to the left.

Honorable Margaret Dee McGarity
Chief United States Bankruptcy Judge

MDM/jlm
Enclosures

Copies to: Mr. Collins T. Fitzpatrick, Circuit Executive
Honorable James E. Shapiro
Honorable Susan V. Kelley
Honorable Pamela Pepper

Committee

Members: Jeffery D. Nordholm, Chair
Ralph C. Anzivino, Reporter
David W. Asbach, Assistant U.S. Trustee
Christopher L. Austin, Clerk of U.S. Bankruptcy Court
James L. Adashek
Peter C. Blain
Thomas J. King, Chapter 13 Trustee
Tonya A. Trumm
John A. Foscatto
Mary B. Grossman, Chapter 13 Trustee
Larry H. Liebzeit, Chapter 7 Panel Trustee
Brett J. Pfeifer
Christine Wolk

CUNITED STATES CODE ANNOTATEDBANKRUPTCY RULESPART IX--GENERAL PROVISIONS**Rule 9029. Local Bankruptcy Rules; Procedure When There is No Controlling Law****(a) Local Bankruptcy Rules**

(1) Each district court acting by a majority of its district judges may make and amend rules governing practice and procedure in all cases and proceedings within the district court's bankruptcy jurisdiction which are consistent with-- but not duplicative of--Acts of Congress and these rules and which do not prohibit or limit the use of the Official Forms. Rule 83 F.R.Civ.P. governs the procedure for making local rules. A district court may authorize the bankruptcy judges of the district, subject to any limitation or condition it may prescribe and the requirements of 83 F.R.Civ.P., to make and amend rules of practice and procedure which are consistent with--but not duplicative of--Acts of Congress and these rules and which do not prohibit or limit the use of the Official Forms. Local rules shall conform to any uniform numbering system prescribed by the Judicial Conference of the United States.

(2) A local rule imposing a requirement of form shall not be enforced in a manner that causes a party to lose rights because of a nonwillful failure to comply with the requirement.

(b) Procedure When There is No Controlling Law. A judge may regulate practice in any manner consistent with federal law, these rules, Official Forms, and local rules of the district. No sanction or other disadvantage may be imposed for noncompliance with any requirement not in federal law, federal rules, Official Forms, or the local rules of the district unless the alleged violator has been furnished in the particular case with actual notice of the requirement.

CREDIT(S)

(As amended Mar. 30, 1987, eff. Aug. 1, 1987; Apr. 30, 1991, eff. Aug. 1, 1991; Apr. 27, 1995, eff. Dec. 1, 1995.)

<General Materials (GM) - References, Annotations, or Tables>